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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,676	02/06/2002	Nobumitsu Takaoka	500.41163X00	7078

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EXAMINER

VU, KIEU D

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application N .

10/066,676

Applicant(s)

TAKAOKA ET AL.

Examiner

Kieu D Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02/06/02.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This Office Action is in response to the Application filed 02/06/02.
2. The information disclosure statement filed 02/06/02 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because

U.S. patents listed in an information disclosure statement are not identified by inventor and issue date.

Foreign patents are identified the publication date indicated on the patents.

It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

### ***Claims***

3. Regarding claim 5, line 9, it is noted that a semi-colon (;) is needed after management screen.

### ***Claim Objections***

4. Claim 1 is objected since the phrase "a set including computers and said storage means" (line 17 of the claim) is not a proper Markush group format. See MPEP 2173.05(h).

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Claims 2-4 depend on claim 1, therefore, claims 2-4 are objected on the same rationale as applied to claim 1.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 2, the word "may" in line 5 renders the claim vague and indefinite since the scope of the claim is uncertain.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tezuka et al ("Tezuka", USP 5764911) and Tserng (USP 6570608).

Regarding claim 1, Tezuka teaches a computer system, comprising: computers (A, B, C, D); storage means (file server FS1); connection means (network cables) for connecting said computers with said storage means; and management means (121,221) for managing states of connection between said computers (A, B, C, D) and said storage means (file server FS1) (see figure 8); wherein said management means

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comprises connection state display means (1211, 2211; see also col. 8, lines 21-22) for displaying a state of connection (direct connection between computer D and file server FS1 within the same department 4's network) in said computer system and input means (mouse) for changing the connection (col. 8, lines 21-22);

said connection state display means comprises means for displaying (1211, 2211) computers, said storage means, and the connection state (direct connection between computer D and file server FS1 within the same department 4's network) in a graphic image and means for creating (121) by use of said input means (mouse) an area displaying a set including computers and said storage means (image showing computer D now in department 5's network); and

Tezuka further teach the detection of computer D's movement from department 4's network to department 5's network and means for setting (1212, 1213, 1214, 2212, 2213, 2214, 3212, 3213, 3214) said storage means and said connection means according to a result of the detection (col. 8, lines 23-56).

Tezuka fails to teach using comparing means for comparing a graphic image display position of computer D (while still in department 4's network) with a graphic image display position of computer D (now in department 5's network) to detect of the movement of computer D. However, such use of comparing means for detecting position change is taught by Tserng. Specifically, Tserng teaches a system which efficiently detects a car movement by comparing the current position of the centroid of the car object with the position of the centroid of the stored car object (see col. 10, lines 36-41). It would have been obvious to one of ordinary skill in the pertinent art having the

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teaching of Tezuka and Tserng before him at the time the invention was made to apply Tserng's teaching of using means for comparing image positions to detect movement in Tezuka's movement detection system with the motivation being to enhance the efficiency and reliability of the movement detection system of Tezuka.

Regarding claim 2, in Tezuka's teaching, the area created by said input means of said connection state display means in said management means overlap with other areas (the image showing the entire network including computer D still in department 4's network and the image showing the entire network including computer D now in department 5's network overlaps each other completely); and said display position comparing means sets, when the area overlaps with other areas and the overlapped areas contain a graphic image of said computer or said storage means, said storage means and said connection means according to a positional relationship between each of the areas and the graphic image (col. 8, lines 41-56).

Regarding claim 3, in Tezuka's system, the graphic image representing computers and storage means displayed on said connection state display means in said management means can be moved by said input means (col. 8, lines 21-22); said display position comparing means compares, after the graphic image is moved by use of said input means, a positional relationship between an area and the graphic image and sets said storage means and said connection means (1212, 1213, 1214, 2212, 2213, 2214, 3212, 3213, 3214) according to a result of the comparison (col. 8, lines 23-63).

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Regarding claim 4, in Tezuka's system, said setting means (1212, 1213, 1214, 2212, 2213, 2214, 3212, 3213, 3214) also sets computers according to a result of the comparison by said display position comparing means (col. 8, lines 23-63).

Regarding claim 5, Tezuka teaches a method of managing a connection a relationship in a computer system (figure 8) comprising computers (A, B, C, D), storage means (file server FS1), and connection means (network cables) for connecting said computers with said storage means, comprising the steps of displaying an area representing a set of computers and storage means on a management screen (col. 8, lines 21-22); displaying computers and storage means in a graphic image on a management screen (see figure 8); detecting position change of computer and setting interface for said storage means and connection means according to a result of the detection (col. 8, lines 23-63).

Tezuka differs from claim 5 in that Tezuka does not teach the step of comparing positions of computer D before and after the movement of D to detect the movement of computer D. However, such step of comparing for detecting position change is taught by Tserng. Specifically, Tserng teaches a system which efficiently detects a car movement by comparing the current position of the centroid of the car object with the position of the centroid of the stored car object (see col. 10, lines 36-41). It would have been obvious to one of ordinary skill in the pertinent art having the teaching of Tezuka and Tserng before him at the time the invention was made apply Tserng's teaching of the step of comparing image positions to detect movement in Tezuka's movement

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detection system with the motivation being to enhance the efficiency and reliability of the movement detection system of Tezuka.

Regarding claim 6, Tezuka further teaches the steps of changing a position and a size of an area on said management screen (when computer D moves, the position and size of the area covering computer D change accordingly); and the step of changing a position of each of the graphic images respectively representing computers and storage means on said management screen (the image position of computer D has to change). Tezuka differs from the claim in that Tezuka does not explicitly teach the changes of the position of the storage means (FS1). However, it is clear that Tezuka's goal is to provide a system that can automatically reconfigure to adapt to changes in directory services and objects (objects includes FS1) (see col. 2, lines 26-44). Thus, it would have been obvious to one skilled in the art that to provide position change in FS1 in Tezuka in view of Tserng's system with the motivation being to provide changes in company organization as needed.

Regarding claim 7, Tezuka further comprises the step, when a position and a size of an area on said management screen is changed or when a position of each of the graphic images respectively representing computers and storage means on said management screen is changed, of determining for each area whether or not the computers and the storage means have valid connectivity therebetween in the area (when computer D is moved out of department 4's network, computer D is no longer connected directly to storage device FS1 via department 4's network).



Regarding claim 8, Tezuka further teaches the step of setting connection for the computers according to a result of the comparison of said positional information comparing step (col. 8, lines 23-63).

9. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach configuration network device, designing and managing network on a display, and managing virtual network, that relate to the claimed invention.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu.

The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

and / or:

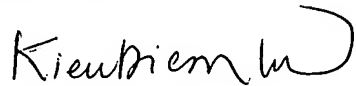
571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

Patent Examiner

A handwritten signature in black ink, appearing to read "Kieu D. Vu", with a stylized flourish at the end.